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*Counsel for Richard Arrowsmith, Liquidating  
Trustee of the HDL Liquidating Trust*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**In re:**

**HEALTH DIAGNOSTIC LABORATORY,  
INC., *et al.*,**

**Debtors.<sup>1</sup>**

**Chapter 11**

**Case No.: 15-32919-KRH**

**Jointly Administered**

**AMENDED PROPOSED AGENDA FOR HEARINGS SCHEDULED FOR  
JUNE 11, 2024 AT 1:00 P.M. (PREVAILING EASTERN TIME)<sup>2</sup>**

**I. STATUS UPDATES**

1. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. LaTonya S. Mallory, *et al.*, Adversary Proceeding Case No. 16-03271 (the “**D&O Action**”) and related matters

2. In re Blue Eagle Farming, LLC, *et al.*, Case No. 18-02395-TOM11 (Bankr. N.D. Ala.) (the “**Johnson Bankruptcy Proceeding**”) and related matters

<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Health Diagnostic Laboratory, Inc. (0119), Central Medical Laboratory, LLC (2728), and Integrated Health Leaders, LLC (2434).

<sup>2</sup> Attached hereto as **Exhibit A** is a redline reflecting the changes from the Proposed Agenda filed on June 7, 2024 [Docket No. 5875].

## **II. MATTER GOING FORWARD IN LEAD CASE**

3. In re Health Diagnostic Laboratory, Inc., Case No. 15-32919-KRH – Motion of the Liquidating Trustee for Order (I) Authorizing the Transfer of Debtors’ Patient Records to MetalQuest, Inc. and (II) Approving the Proposed Agreement between the Liquidating Trustee and MetalQuest [Docket No. 5855] (the “Record Transfer Motion”)

### *Related Documents:*

(a) Motion of the Liquidating Trustee for an Expedited Hearing and to Shorten Notice Period on the Record Transfer Motion [Docket No. 5856] (the “Expedited Motion” and together with the Record Transfer Motion, the “Motions”)

(b) Notice of Motions [Docket No. 5857]

(c) Certificate of Service [Docket No. 5858]

(d) Appointment of Elise S. Frejka as Consumer Privacy Ombudsman with Acceptance of Appointment and Verified Statement attached [Docket No. 5865]

(e) Order (A) Continuing the Hearing on the Record Transfer Motion and (B) Directing the Appointment of a Consumer Privacy Ombudsperson for the Purpose of Reviewing the Proposed Transfer of Records [Docket No. 5871]

(f) Order Granting Motion to Expedite [Docket No. 5872]

(g) Notice of Filing of Supplemental Exhibits to Record Transfer Motion [Docket No. 5880]

### *Response:*

None.

### *Status:*

This matter is going forward.

## **III. ADJOURNED MATTERS IN RELATED ADVERSARY PROCEEDINGS**

4. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. National Humane Society - Adversary Proceeding Case No. 22-03083-KRH – Motion for Entry of Default and Default Judgment [Docket No. 5] and Notice Thereof [Docket No. 6]

### *Related Documents:*

(a) Complaint [Docket No. 1]

(b) Certificate of Service [Docket No. 4]

*Response:*

None.

*Status:*

The Liquidating Trustee has settled this matter and requests that this matter be adjourned to the Omnibus Hearing scheduled for July 23, 2024 at 11:00 a.m. (Prevailing Eastern Time) to allow time to carry out all terms of the agreement.

5. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Floyd Calhoun Dent, III - Adversary Proceeding Case No. 22-03033– Motion for Summary Judgment and Memorandum in Support [Docket No. 9] and Notice thereof [Docket No. 10]

*Related Documents:*

(a) Motion for Authority to File Under Seal Exhibit G to the Motion for Summary Judgment [Docket No. 11]

(b) Notice of Motion to Seal [Docket No. 12]

(c) Reply Memorandum in Support of Motion for Summary Judgment filed by the Liquidating Trustee [Docket No. 15]

*Response:*

(a) Objection of Defendant Floyd Calhoun Dent, III to the Liquidating Trustee's Motion for Summary Judgment [Docket No. 14]

*Status:*

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for July 23, 2024 at 11:00 a.m. (Prevailing Eastern Time).

#### **IV. ADJOURNED GARNISHMENT**

6. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Uchenna Christopher Ogbuokiri - Adversary Proceeding Case No. 17-03762

6.1 Garnishment Summons re: Judgment against Uchenna Christopher Ogbuokiri [Docket Item No. 40] (the "**Ogbuokiri Garnishment**")

*Related Documents:*

(a) Suggestion for Summons in Garnishment to Together Credit Union [Docket No. 39]

(b) Order Granting Default Judgment [Docket No. 13]

(c) Writ of Execution [Docket No. 41]

(d) Certificate of Service [Docket No. 43]

*Response:*

To date, an Answer has not yet been received from Together Credit Union.

*Status:*

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for July 23, 2024 at 11:00 a.m. (Prevailing Eastern Time) to allow time for Together Credit Union to issue an Answer.

**V. ADJOURNED MATTER IN LEAD CASE**

7. Tenth Omnibus Objection to Certain (A) 502(d), (B) No Liability Claims, and (C) Unsupported Claim [Docket No. 5097] (the “**Tenth Omnibus Objection**”)

*Related Documents:*

(a) Notice of Motion and Hearing [Docket No. 5098]

*Response Deadline:* April 27, 2021 at 4:00 p.m. (Prevailing Eastern Time).

*Status:*

The Tenth Omnibus Objection was granted in accordance with the Order Sustaining Tenth Omnibus Objection as to the No Liability Claims [Docket No. 5180]. An Order has been submitted to the Court on the Unsupported Claim [Docket No. 5197]. The Liquidating Trustee requests that the hearing as to the 502(d) Claims be adjourned to the Omnibus Hearing scheduled for July 23, 2024 at 11:00 a.m. (Prevailing Eastern Time).

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Dated: June 10, 2024

Respectfully submitted,

/s/ Brittany B. Falabella

Robert S. Westermann (VSB No. 43294)

Brittany B. Falabella (VSB No. 80131)

Kollin G. Bender (VSB No. 98912)

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*Counsel for Richard Arrowsmith,*

*Liquidating Trustee of the HDL Liquidating Trust*

**EXHIBIT A**

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| Dated: June 7<sup>10</sup>, 2024

Respectfully submitted,

/s/ Brittany B. Falabella

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